



**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BENZIMIDAZOLE QUINOLINONES AND USES THEREOF

(Attorney Docket No. 072121-0307)

the specification of which (check one)

  X   is attached hereto.

       was filed on            as United States Application Number or PCT International Application Number            and was amended on            (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/405,729	08/23/2002
60/426,107	11/13/2002
60/426,226	11/13/2002
60/426,282	11/13/2002
60/428,210	11/21/2002
60/460,328	04/03/2003
60/460,493	04/03/2003
60/460,327	04/03/2003
60/478,916	06/16/2003
60/484,048	07/01/2003

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the registered attorneys and agents of Foley & Lardner at Customer Number 23524



23524

PATENT TRADEMARK OFFICE

specifically including the following attorneys and agents:

RICHARD C. PEET	Reg. No. 35,792
STEPHEN A. BENT	Reg. No. 29,768
BERNARD P. FRIEDRICHSEN	Reg. No. 44,689
HARRY C. ENGSTROM	Reg. No. 26,876
MICHELLE MANNING	Reg. No. 50,592
MARK A. KASSEL	Reg. No. 38,200
JOSEPH P. MEARA	Reg. No. 44,932
BETH A. BURROUS	Reg. No. 35,087
STEPHEN B. MAEBIUS	Reg. No. 35,264
ROBERT N. YOUNG	Reg. No. 48,412

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I also HEREBY APPOINT the registered attorneys and agents of Chiron Corporation, specifically including the following attorneys and agents:

ROBERT P. BLACKBURN	Reg. No. 30,447
JOSEPH H. GUTH	Reg. No. 31,261
ALISA A. HARBIN	Reg. No. 33,895
CHARLENE A. LAUNER	Reg. No. 33,035
REBECCA M. HALE	Reg. No. 45,680
STEVEN W. COLLIER	Reg. No. 42,429
MARCELLA LILLIS	Reg. No. 36,583
GERALD SUH	Reg. No. 41,337

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Attorney Gerald Suh  
Reg. No. 41,337  
Chiron Corporation  
P.O. Box 8097  
Emeryville, CA 94662  
Telephone: (510) 923-2706  
Facsimile: (510) 655-3542

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Paul A. BARSANTI
Residence	Moraga, CA
Citizenship	Great Britain
Post Office Address	2316 #B3 Ascot Drive Moraga, CA 94556
Inventor's signature	
Date	
 Name of second inventor	 Dirksen BUSSIERE
Residence	San Leandro, CA
Citizenship	United States of America
Post Office Address	4147 Waterfall Way San Leandro, CA 94578
Inventor's signature	
Date	
 Name of third inventor	 Stephen D. HARRISON
Residence	Albany, CA
Citizenship	United States of America
Post Office Address	1161 Santa Fe Avenue Albany, CA 94706
Inventor's signature	
Date	
 Name of fourth inventor	 Carla C. HEISE
Residence	Benicia, CA
Citizenship	United States of America
Post Office Address	436 Hawthorne Lane Benicia, CA 94510
Inventor's signature	
Date	

Name of fifth inventor	Johanna M. JANSEN
Residence	San Francisco, CA
Citizenship	Netherlands
Post Office Address	243 Mangels Avenue San Francisco, CA 94131
Inventor's signature	
Date	
Name of sixth inventor	Elisa JAZAN
Residence	Richmond, CA
Citizenship	United States of America
Post Office Address	520 McLaughlin Avenue Richmond, CA 94805
Inventor's signature	
Date	
Name of seventh inventor	Timothy D. MACHAJEWSKI
Residence	Martinez, CA
Citizenship	United States of America
Post Office Address	2514 Norwalk Court Martinez, CA 94553
Inventor's signature	
Date	
Name of eighth inventor	Christopher McBRIDE
Residence	Oakland, CA
Citizenship	United States of America
Post Office Address	3107 Berlin Way Oakland, CA 94602
Inventor's signature	
Date	

Name of ninth inventor	William R. McCREA
Residence	Berkeley, CA
Citizenship	United States of America
Post Office Address	1040 Amito Drive Berkeley, CA 94705
Inventor's signature	
Date	

Name of tenth inventor	Simon NG
Residence	Walnut Creek, CA
Citizenship	United States of America
Post Office Address	543 Pimlico Court Walnut Creek, CA 94597
Inventor's signature	
Date	

Name of inventor 11	Zhi-Jie NI
Residence	Fremont, CA
Citizenship	United States of America
Post Office Address	34497 Winslow Terrace Fremont, CA 94555
Inventor's signature	
Date	

Name of inventor 12	Sabina PECCHI
Residence	Oakland, CA
Citizenship	Italy
Post Office Address	5834 Merriewood Drive Oakland, CA 94611
Inventor's signature	
Date	

Name of inventor 13	Keith PFISTER
Residence	San Ramon, CA
Citizenship	United States of America
Post Office Address	221 Promontory Terrace San Ramon, CA 94583
Inventor's signature	
Date	

Name of inventor 14	Savithri RAMURTHY
Residence	Walnut Creek, CA
Citizenship	United States of America
Post Office Address	1151 Maggie Lane Walnut Creek, CA 94597
Inventor's signature	
Date	

Name of inventor 15	Paul A. RENHOWE
Residence	Danville, CA
Citizenship	United States of America
Post Office Address	262 Stetson Drive Danville, CA 94506
Inventor's signature	
Date	

Name of inventor 16	Cynthia M. SHAFER
Residence	El Sobrante, CA
Citizenship	United States of America
Post Office Address	4868 El Grande Place El Sobrante, CA 94803
Inventor's signature	
Date	

Name of inventor 17	Joel B. SILVER
Residence	Concord, New Hampshire
Citizenship	United States of America
Post Office Address	14 Essex Street Apt. 1 Concord, NH 03301
Inventor's signature	
Date	
Name of inventor 18	Allan WAGMAN
Residence	Belmont, CA
Citizenship	United States of America
Post Office Address	2 Ridgewood Court Belmont, CA 94002
Inventor's signature	
Date	
Name of inventor 19	Marion WEISMANN
Residence	Brisbane, CA
Citizenship	Germany
Post Office Address	512 Swallowtail Court Brisbane, CA 94005
Inventor's signature	
Date	